



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,993	12/29/2003	Jochen Huebl	10191/3516	8251
26646	7590	01/06/2009	EXAMINER	
KENYON & KENYON LLP			BROWN, VERNAL U	
ONE BROADWAY				
NEW YORK, NY 10004			ART UNIT	PAPER NUMBER
			2612	
			MAIL DATE	DELIVERY MODE
			01/06/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/748,993	HUEBL, JOCHEN	
	Examiner	Art Unit	
	VERNAL U. BROWN	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 October 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-5,7-11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3-5,7-11 and 13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

This action is responsive to communication filed on October 6, 2008.

Response to Amendment

The examiner has acknowledged the amendment of claims 1, 5, 7, 11, and 13.

Response to Arguments

Applicant argues that the impulse signal disclosed by Neudecker is not equivalent to the predefined signal feature as claimed because each impulse has no significance by itself and does not signify any assignment to the least one target user as claimed. It is the examiner's position that the reference of Neudecker teaches detecting a predefined impulse signal features and the predefine signal feature is assigned to the target by storing the impulse information for waking up the target device in the detector device (col. 4 lines 26-30). The examiner interpreted the assignment of the signal feature to the target user as the enabling the target device to detect the impulse signal feature and use the signal feature to indicate a wake up command.(col. 4 line 63- col. 5 line 3). It is therefore the examiner's position that the impulse signal feature is assign to the target user because the impulse signal feature is used to wake up the bus user for data exchange.

Applicant argues that identifying the at least one targeted user as an intended target is precondition on a preselected number of occurrences of the predefined signal feature. It is the examiner's position that the user of the bus is not identify as the target user until the number of impulses detected is the same as the programmed number to which the detector circuit is to react to (col. 4 lines 26-30).The selection of the target device is therefore preconditioned on the number of occurrences of the impulse signal.

Applicant argues that the actuation of the controller switch as disclosed by Neudecker as nothing to do with the claimed invention of the further step of identifying the at least one targeted user as an intended target. It is the examiner's position that the reference of Neudecker teaches a further wake up procedure of connecting the bus to the power supply after identifying the intended target device (col. 4 lines 26-47). The reference of Neudecker is not relied upon for teaching a further wake up step of identifying the data pattern of the unique address encoded in the message. The reference of Foster is relied upon for teaching this limitation.

Regarding applicant argument regarding the reference of Foster, the reference of Foster teaches detecting a signal feature by detecting when the signal line (SDA) transition from high to low while the clock line is high (col. 1 lines 10-35) and teaches a further wake up step of identifying the data pattern of the unique address encoded within a message (col. 3 line 67-col. 4 line 4). It is also the examiner position that the start bit is indicated by signal feature of the signal line transitioning from high to low when the clock line is high and the address bit indicating the target device is transmitted after the indication of the start bit.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 7-10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neudecker US Patent 6282668 in view of Foster, Sr. et al. US Patent 6339806.

Regarding claim 1 and 13, Neudecker teaches a detector circuit (10) for selectively waking up a user of a bus system (col. 2 lines 11-23, col. 4 lines 21-25). The selective waking of users of the bus is interpreted as waking up a particular user of the bus without waking the other users of the bus. Neudecker teaches waking up user of the bus by detecting a predefined impulse signal features and the predefine signal feature is assigned to the target by storing the impulse information for waking up the target device in the detector device (col. 4 lines 26-30). Neudecker teaches the detecting device initiates a further wake up procedure when the predefined signature feature has been reaches (col. 4 lines 35-47). Neudecker teaches the detection device include a counter (13) for counting the number of impulses including counting the number of impulses greater than 1 (col. 5 lines 4-15, col. 5 lines 35-47). Neudecker is silent on teaching a further wake step of identifying the data pattern encoded within a message. Foster, Sr. et al. in an analogous art teaches initiating a two step wake up procedure that includes detecting a signal feature and a further wake up step of identifying the data pattern of the unique address encoded within a message (col. 3 line 67-col. 4 line 4).

It would have been obvious to one of ordinary skill in the art to modify the system of Neudecker as disclosed by Foster, Sr. et al. because the further wake up step of identifying the data pattern encoded within a message minimizes the possibility of the user of the bus awaken based on signal glitches and further reduces the power consumption of the bus system.

Regarding claims 5 and 7-8, Neudecker teaches a bus system comprising a detection device for detecting a predefined impulse signal features and the predefine signal feature is assigned to the target by storing the information in the detector device (col. 2 lines 11-23, col. 4 lines 26-30). Neudecker teaches a detector circuit (10) for selectively waking up a user of a bus system (col. 4 lines 21-25). The selective waking of users of the bus is interpreted as waking up a particular user of the bus without waking the other users of the bus. Neudecker teaches the detecting device initiates a further wake up procedure when the predefined signature feature has been reaches (col. 4 lines 35-47). Neudecker teaches the detection device includes a counter (13) for counting the number of impulses greater than 1 (col. 5 lines 4-15, col. 5 lines 35-47). Neudecker is silent on teaching a further wake step of identifying the data pattern encoded within a message. Foster, Sr. et al. in an analogous art teaches initiating a two step wake up procedure that includes detecting a signal feature and a further wake up step of identifying the data pattern of the unique address encoded within a message (col. 3 line 67-col. 4 line 4).

It would have been obvious to one of ordinary skill in the art to modify the system of Neudecker as disclosed by Foster, Sr. et al. because the further wake up step of identifying the data pattern encoded within a message minimizes the possibility of the user of the bus awaken based on signal glitches and further reduces the power consumption of the bus system.

Regarding claim 9, Neudecker teaches determining a time duration when the signal feature occurs for a first time (col. 4 line 63-col. 5 line 3).

Regarding claim 10, Neudecker teaches data exchange is carried out after the correct impulse sequence is detected (col. 5 lines 4-12).

Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neudecker US Patent 6282668 in view of Foster, Sr. et al. US Patent 6339806 and further in view of Ohie US patent 5581556.

Regarding claims 3-4, Neudecker teaches a bus system comprising a detection device for detecting a predefined impulse signal features (col. 4 lines 26-30) but is silent on teaching the signal feature include and edge change and the detection device includes a counter and the predefine signal feature is greater than one. Ohie in an art related local area network system invention teaches the detection device detecting the wake up signal based on edge detection of the signal transitioning from “1” to “0”, “0” to “1”(col. 3 lines 28-37).

It would have been obvious to one of ordinary skill in the art to modify the system of Neudecker as disclosed by Ohie because a level variation in the signal transmitted to devices on a bus provides an effective an inexpensive means for signaling the request for a device to transition from a lower power mode.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Neudecker US Patent 6282668 in view of Foster, Sr. et al. US Patent 6339806 and further in view of Askre et al. US Patent 4730251.

Regarding claim 11, Neudecker teaches waking up user of the bus by detecting a predefined impulse signal features and the predefine signal feature is assigned to the target by storing the impulse information for waking up the target device in the detector device (col. 4 lines 26-30) but is silent on teaching retransmitting the message. Askre et al. in n analogous art

teaches retransmitting a message in order to isolate and identify users on a bus (col. 1 lines 55-65).

It would have been obvious to one of ordinary skill in the art to modify the system of Neudecker as disclosed by Askre et al. because retransmitting the message provide the means for transmitting additional identification information so as to isolate and identify users on a bus.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/
Examiner, Art Unit 2612
December 30, 2008

/Brian A Zimmerman/
Supervisory Patent Examiner, Art Unit 2612